

PREFI - FYI

November 27, 1996

MEMORANDUM

SUBJECT: Freedom of Information Act Request Response - PCB, Inc.

FROM: Pauletta R. France-Isetts, RPM
SUPR/MOKS

TO: Pat Pennington
OEP

On or about November 29, 1996, responses to two (2) Freedom of Information Act (FOIA) requests were delivered to the Office of External Program (OEP). The attached indexes list the documents copied for transmittal to the requestors.

| <u>FOIA Number</u> | <u>Site</u> | <u>Company</u> | <u>Requestor</u> |
|--------------------|-------------|------------------------|--|
| 07-RIN-01371-96 | PCB | Mr. Frank, Inc. | Nirav D. Shah (CIGNA) |
| 07-RIN-01251-96 | PCB | Consolidated Edison | Ken Bolender (Environmental Investigative Services, Inc.) |

Attachments

07RK

40506004



Superfund

0000 11/27/96

56

FD/Grace Metts
AF.

07. RIN-01371-96

FREEDOM OF INFORMATION ACT (FOIA) GUIDE AND PROGRAM CHECKLIST

FOIA request is a written request for records held or believed to be held by EPA.
a request need not specifically refer to the FOIA. The Act requires that agencies
provide records unless they are exempt.

FOIA OFFICE (PBAF)

FOIA requests are date-stamped and logged into the FOIMATS system by the FOIA Coordinator, PBAF. THE FOIMATS system assigns a control number and generates a control slip. It also produces an acknowledgement letter which is sent to the requestor. Copies of the request are hand-carried to appropriate programs/offices.

On receipt of records and backup material from the programs/offices, the FOIA Coordinator prepares an appropriate response letter for signature by the Freedom Information Officer for all responses except initial denials. Initial denials are prepared by the FOIA Coordinator for the signature of the appropriate Division Director.

PROGRAM RESPONSIBILITY

Understand what the writer is asking for. If not, call the requestor for clarification. (Scope of request can often be narrowed.)

Fees for processing request exceed \$25.00 and requestor has not indicated in letter willingness to pay up to a specified amount, call requestor advising of estimated fees for processing request and obtain agreement to reimburse the Agency.

Implement all actions for processing request. Complete the Program Checklist (below) and submit to the FOIA Coordinator.

Be sure that ALL portions of request which your program/office is responsible for have been responded to. When the records responsive to the request are prepared and Program Checklist completed, send to FOIA Coordinator with any details that should be known for preparation of response letter. INCLUDE THE CONTROL SLIP when submitting to the FOIA Coordinator. The FOIA control number is the only means of identification and tracking.

Program Checklist for transmittal of records/information to PBAF for response letter

| | Yes | Date | No | N/A |
|---|-------------------------------------|----------|-------------------------------------|-------------------------------------|
| Program has responsive records | <input checked="" type="checkbox"/> | 11/26/96 | | |
| Number of records released and/or denied | <input checked="" type="checkbox"/> | | | |
| Official consulted re releasability of records | | | | <input checked="" type="checkbox"/> |
| Exception cited for records denied 5 U.S.C. 552(b) | | | | <input checked="" type="checkbox"/> |
| Exemption(s) listed for initial denial and CFR cited | | | | <input checked="" type="checkbox"/> |
| Copies of record(s) initially denied in program's files | | | | <input checked="" type="checkbox"/> |
| Records submitted to FOIA Coordinator (in case of appeal) | | | | <input checked="" type="checkbox"/> |
| Business confidentiality determination applicable | | | | <input checked="" type="checkbox"/> |
| Program notified third party by letter from Division Director | | | | <input checked="" type="checkbox"/> |
| Opportunity to substantiate business confidentiality claim | | | | <input checked="" type="checkbox"/> |
| Cost CNSL in making final confidentiality determination | | | | |
| Estimation of 'due date' requested (2.112(e) (1) (2) or (3)) | | | <input checked="" type="checkbox"/> | |
| Requestor advised of charges and agreed to payment | <input checked="" type="checkbox"/> | | | |
| Cost of processing request: Record search @ _____; review @ _____; copying 469 pages per page; actual cost to EPA \$70.35 | | | | |
| Date of transmittal of records/information to PBAF | | | | |
| Program responsible for gathering records/information | | | | |

Division Director (or designee) concurrence/signature _____

SPFD/France. Letter 07-RIN 01251-96
PBAF

FREEDOM OF INFORMATION ACT (FOIA) GUIDE AND PROGRAM CHECKLIST

A FOIA request is a written request for records held or believed to be held by EPA. The request need not specifically refer to the FOIA. The Act requires that agencies provide records unless they are exempt.

FOIA OFFICE (PBAF)

FOIA requests are date-stamped and logged into the FOIMATS system by the FOIA Coordinator, PBAF. THE FOIMATS system assigns a control number and generates a control slip. It also produces an acknowledgement letter which is sent to the requestor. Copies of the request are hand-carried to appropriate programs/offices.

Upon receipt of records and backup material from the programs/offices, the FOIA Coordinator prepares an appropriate response letter for signature by the Freedom of Information Officer for all responses except initial denials. Initial denials are prepared by the FOIA Coordinator for the signature of the appropriate Division Director.

PROGRAM RESPONSIBILITY

Understand what the writer is asking for. If not, call the requestor for clarification. (Scope of request can often be narrowed.)

If fees for processing request exceed \$25.00 and requestor has not indicated in letter willingness to pay up to a specified amount, call requestor advising of estimated fees for processing request and obtain agreement to reimburse the Agency.

Document all actions for processing request. Complete the Program Checklist (below) before submittal to the FOIA Coordinator.

Assure that ALL portions of request which your program/office is responsible for have been responded to. When the records responsive to the request are prepared and Program Checklist completed, send to FOIA Coordinator with any details that should be known for preparation of response letter. INCLUDE THE CONTROL SLIP when submitting to the FOIA Coordinator. The FOIA control number is the only means of identification and tracking.

Program Checklist for transmittal of records/information to PBAF for response letter

| | Yes | Date | No | N/A |
|--|-----|----------|----|-----|
| Program has responsive records | ✓ | 11/21/96 | | |
| Index of records released and/or denied | ✓ | | | |
| Counsel consulted re releasability of records | ✓ | | | |
| Exemption cited for records denied 5 U.S.C. 552(b) _____ | | | | ✓ |
| Record(s) listed for initial denial and CFR cited | | | | ✓ |
| Copy(ies) of record(s) initially denied in program's files | | | | |
| or submitted to FOIA Coordinator (in case of appeal) | | | | ✓ |
| Business confidentiality determination applicable | | | | ✓ |
| Program notified third party by letter from Division Director | | | | |
| of opportunity to substantiate business confidentiality claim | | | | ✓ |
| Assist CNSL in making final confidentiality determination | | | | |
| Extension of 'due date' requested (2.112(e) (1) (2) or (3)) | | | ✓ | |
| Requestor advised of charges and agreed to payment | ✓ | | | |
| Cost of processing request: Record search _____; review <u>1/2 hr</u> @ <u>15.00</u> ; copying <u>223</u> pages @ <u>.15</u> per page; actual cost to EPA _____. | | | | |
| Date of transmittal of records/information to PBAF _____ | | | | |
| Person responsible for gathering records/information _____ | | | | |

Division Director (or designee) concurrence/signature _____

Freedom of Information Act Request

07-RIN-01251-96

Requestor: KEN BOLENDER Request Date: 10/09/96

Company: ENVIRONMENTAL INVESTIGATIVE SERVICES, INC. Date Received: 10/16/96

Fee Category: COMMERCIAL Acknowledged: 10/16/96

Subject: PCB, INC., KANSAS CITY, MISSOURI AND KANSAS CITY, KANSAS AS RELATED TO CONSOLIDATED EDISON

Lead Office: 07-PBAF

Assigned to: 07-PBAF, 07-SPFD

Due Date: 10/30/96

Fee Waiver Requested: NO

FIS Initials: EN

SPECIAL INSTRUCTIONS: FOIAS ARE HAND-CARRIED TO DIVISION/BRANCH/OFFICE ON DATE RECEIVED. FOIAS ARE DUE 10 WORKING DAYS FROM DATE RECEIVED.

SPFD/France-ISETTS PROVIDE INPUT, PBAF SIGNATURE

REC'D BY:

DATE

Environmental Investigative Services, Inc.
1057 Sheridan Avenue
Deerfield, Illinois 60015
Telephone (847)940-0979
Fax (847)940-0981

October 9, 1996

07-RIN-01251-96 SPFD/F-I
PB AF

Freedom of Information Office
US EPA, Region 7
726 Minnesota Avenue
Kansas City, KS 66101

Dear Sirs:

PCB, Inc sites
as re Consolidated Edison

EIS would like to submit this letter as a request for information under the Freedom of Information Act (FOIA). Specifically, we would like to conduct a file review for all publicly available information relative to the Consolidated Edison, Kansas City PCB site located at 45 Ewing Street, Kansas City, Kansas and their Missouri site located at 2100 Wyandotte Street, Kansas City, Missouri. We will be in the area in the near future and would like to stop by and conduct a file review for this site. If you need additional information concerning this request please let me know.

Thank you for your help.

Sincerely,

Ken Bolender

Ken Bolender

Also wants
copy of AOC
for EE/CA

Beunda Holmer
10/17/96
Spoke with requester

RECEIVED

OCT 16 1996

EPA-RGAD-PBAF
REGION VII

Requester came in
to review Consolidated
Edison part of file on 11/6/96.
P. Samak

Limit
Any documents
relating to Con Ed
W - OK'd costs

recipients
we to state
in this
letter that because of the huge volume of documents →

FOIA 96-1251
INDEX OF DOCUMENTS RELEASED

1) Waste-In Equipment Report (167 pages)

NOTE: This report was provided to the requestor on November 6, 1996, when he came in to the EPA office to review the Consolidated Edison portion of the PCB file.

2) Administrative Order on Consent: Docket No. VII-96-F-0018; PCB Treatment, Inc., Kansas City, MO and Kansas City, KS; dated 9/27/96. (56 pages)

NOTE: This document was requested when Belinda Holmes initially called the requestor on 10/17/96. Since it was not part of the file the requestor reviewed, will send it to him at this time.

GRAND TOTAL: 223 PAGES